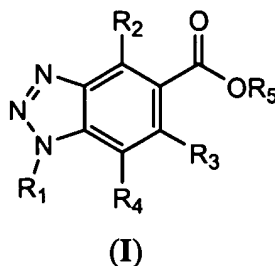


10/533799  
JC17 Rec'd PCT/PTO 04 MAY 2005

In the Claims

Please amend the claims according to the claim listing provided below.

1. (currently amended) A compound of Formula (I):



wherein:

R<sub>1</sub> is C<sub>1-8</sub> alkyl, C<sub>3-6</sub> cycloalkyl or C<sub>1-6</sub> haloalkyl, wherein the C<sub>1-8</sub> alkyl, C<sub>3-6</sub> cycloalkyl and C<sub>1-6</sub> haloalkyl groups are optionally substituted with 1, 2, 3 or 4 substituents selected from the group consisting of C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, aryl, substituted aryl, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, heteroaryl, heterocyclyl, hydroxyl, nitro and thiol;

R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are each independently selected from the group consisting of H, C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, hydroxyl, nitro and thiol; and

R<sub>5</sub> is H or C<sub>1-6</sub> alkyl; or

a pharmaceutically acceptable salt, solvate or hydrate ~~or a solvate thereof~~;  
provided that:

a) when R<sub>5</sub> is ethyl, and R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are H then R<sub>1</sub> is not methyl or triphenylmethyl;

b) when R<sub>5</sub> is n-pentyl, and R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are H then R<sub>1</sub> is not n-butyl;

c) when R<sub>5</sub> is methyl, and R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are H then R<sub>1</sub> is not pyrrolidin-1-ylmethyl, 3-tert-butyl-2-hydroxy-5-methyl-benzyl, methyl, or dimethylaminomethyl;

d) when R<sub>5</sub> is methyl, R<sub>2</sub> is carbomethoxy and R<sub>3</sub> and R<sub>4</sub> are both H then R<sub>1</sub> is not methyl;

e) when R<sub>2</sub>, R<sub>3</sub>, R<sub>4</sub> and R<sub>5</sub> are all H then R<sub>1</sub> is not 2-amino-2-carboxy-ethyl, pyrrolidin-1-ylmethyl, isopropyl, methyl, benzyl, n-butyl, or carboxymethyl; and

f) when R<sub>2</sub>, R<sub>4</sub>, and R<sub>5</sub> are all H and R<sub>3</sub> is methoxy then R<sub>1</sub> is not methyl.

2. (currently amended) A compound according to claim 1 wherein:

R<sub>1</sub> is C<sub>3-6</sub> cycloalkyl or C<sub>1-6</sub> haloalkyl, wherein each C<sub>3-6</sub> cycloalkyl ~~or~~ and C<sub>1-6</sub> haloalkyl group is optionally substituted with 1, 2, 3, or 4 substituents selected from the group consisting of C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, hydroxyl, nitro and thiol;

R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are each independently selected from the group consisting of H, C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, hydroxyl, nitro ~~or~~ and thiol; and

R<sub>5</sub> is H or C<sub>1-6</sub> alkyl; or

a pharmaceutically acceptable salt, solvate or hydrate ~~or a solvate thereof~~.

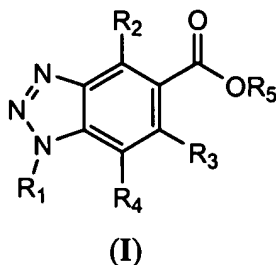
3. (currently amended) The compound according to claim 1 ~~or 2~~ wherein R<sub>5</sub> is C<sub>1-6</sub> alkyl.
4. (currently amended) The compound according to claim 1 ~~or 2~~ wherein R<sub>5</sub> is H.
5. (currently amended) The compound according to ~~any one of claims 1 to 4~~ wherein R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are each independently H or halogen.

6. (currently amended) The compound according to ~~any one of claims 1 to 4~~ wherein R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are each independently H or F.
7. (currently amended) The compound according to ~~any one of claims 1 and 3 to 6~~ wherein R<sub>1</sub> is C<sub>1-8</sub> alkyl optionally substituted with substituents selected from the group consisting of C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, aryl, substituted aryl, C<sub>3-6</sub> cycloalkyl, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, heteroaryl, heterocyclyl, and hydroxyl.
8. (currently amended) The compound according to ~~any one of claims 1 and 3 to 6~~ wherein R<sub>1</sub> is selected from the group consisting of 2-butyl, 3-pentyl, 1-propyl, t-butyl, 1-butyl, 4-Methyl-pentyl, 3-methyl-butyl, 1,3-dimethyl-butyl, 3,3-dimethyl-butyl, 1-heptyl, ethyl, 2,2-dimethyl-propyl, and 1-pentyl.
9. (currently amended) The compound according to ~~any one of claims 1 and 3 to 6~~ wherein R<sub>1</sub> is selected from the group consisting of 3-methoxy-benzyl, 4-methoxy-benzyl, 4-methoxy-phenyl ethyl, 3-methoxy-phenyl ethyl, 3,5-difluorobenzyl, and benzhydryl.
10. (currently amended) The compound according to ~~any one of claims 1 and 3 to 6~~ wherein R<sub>1</sub> is selected from the group consisting of 3-isopropoxypropyl, tetrahydro-furan-2-ylmethyl, 2-methoxy-ethyl, 2-ethylsulfanyl-ethyl, 3-hydroxy-propyl, allyl, cyclopropylmethyl, but-2-ynyl, 2-methoxy-1-methyl-ethyl, 2-hydroxy-1-hydroxymethyl-ethyl, 2-ethoxy-ethyl, and 1,2-dimethyl-propyl.
11. (currently amended) The compound according to ~~any one of claims 1 to 6~~ wherein R<sub>1</sub> is selected from the group consisting of cyclopentyl, cyclohexyl, cyclopropyl, and cyclobutyl.
12. (currently amended) The compound according to claim 1 selected from the group consisting of:
  - 1-Cyclopentyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(2'-Butyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(3'-Pentyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-Cyclohexyl-1H-benzotriazole-5-carboxylic acid

1-Propyl-1H-benzotriazole-5-carboxylic acid;  
1-Cyclopropyl-1H-benzotriazole-5-carboxylic acid;  
1-(3'-Isopropoxy-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-(Tetrahydro-furan-2'-ylmethyl)-1H-benzotriazole-5-carboxylic acid;  
1-Cyclobutyl-1H-benzotriazole-5-carboxylic acid;  
1-(2-Methoxy-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(3'Methoxybenzyl)-1H-benzotriazole-5-carboxylic acid;  
1-(4'Methoxybenzyl)-1H-benzotriazole-5-carboxylic acid;  
1-[2'-(4''-Methoxy-phenyl)-ethylamine]-1H-benzotriazole-5-carboxylic acid;  
1-[2'-(3''-Methoxy-phenyl)-ethylamine]-1H-benzotriazole-5-carboxylic acid;  
1-(3',5'-Difluorobenzyl)-1H-benzotriazole-5-carboxylic acid;  
1-(2-Ethylsulfanyl-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-t-Butyl-1H-benzotriazole-5-carboxylic acid;  
1-(3'-Hydroxy-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-(1',3'-Dimethyl-butyl)-1H-benzotriazole-5-carboxylic acid;  
1-(3',3'-Dimethyl-butyl)-1H-benzotriazole-5-carboxylic acid;  
1-Heptyl-1H-benzotriazole-5-carboxylic acid;  
1-(2'-Methoxy-1'-methyl-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(2'-Hydroxy-1'-hydroxymethyl-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-Ethyl-1H-benzotriazole-5-carboxylic acid;  
1-Pentyl-1H-benzotriazole-5-carboxylic acid;  
1-(2',2'-Dimethyl-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-(2'-Ethoxy-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(1',2'-Dimethyl-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-Benzhydryl-1H-benzotriazole-5-carboxylic acid;  
1-Allyl-1H-benzotriazole-5-carboxylic acid;  
1-Butyl-1H-benzotriazole-5-carboxylic acid;  
1-(Cyclopropylmethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(But-2-ynyl)-1H-benzotriazole-5-carboxylic acid;  
1-(4'-Methyl-pentyl)-1H-benzotriazole-5-carboxylic acid; and  
1-(3'-Methyl-butyl)-1H-benzotriazole-5-carboxylic acid; or  
a pharmaceutically acceptable salt, solvate or hydrate thereof.

13. (currently amended) A pharmaceutical composition comprising a compound according to:

a) Formula (I):



wherein:

R<sub>1</sub> is H, C<sub>1-6</sub> alkyl, C<sub>3-6</sub> cycloalkyl or C<sub>1-6</sub> haloalkyl, wherein each C<sub>1-6</sub> alkyl, C<sub>3-6</sub> cycloalkyl ~~or~~ and C<sub>1-6</sub> haloalkyl group is optionally substituted with 1, 2, 3, or 4 substituents selected from the group consisting of C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, hydroxyl, nitro ~~or~~ and thiol;

R<sub>2</sub>, R<sub>3</sub> and R<sub>4</sub> are each independently selected from the group consisting of H, C<sub>1-6</sub> acyl, C<sub>1-6</sub> acyloxy, C<sub>2-6</sub> alkenyl, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkyl, C<sub>1-6</sub> alkylcarboxamido, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkylsulfinyl, C<sub>1-6</sub> alkylsulfonyl, C<sub>1-6</sub> alkylthio, C<sub>1-6</sub> alkylureyl, amino, C<sub>1-6</sub> alkylamino, C<sub>1-6</sub> dialkylamino, carbo C<sub>1-6</sub> alkoxy, carboxy, cyano, C<sub>3-6</sub> cycloalkyl, C<sub>1-6</sub> dialkylcarboxamido, halogen, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> haloalkyl, C<sub>1-6</sub> haloalkylsulfinyl, C<sub>1-6</sub> haloalkylsulfonyl, C<sub>1-6</sub> haloalkylthio, hydroxyl, nitro ~~or~~ and thiol; and

R<sub>5</sub> is H or C<sub>1-6</sub> alkyl; or

a pharmaceutically acceptable salt, solvate or hydrate thereof; ~~or~~

~~b) any one of claims 1 to 12; wherein said compound is,~~ in combination with a pharmaceutically acceptable carrier.

14. (original) A pharmaceutical composition according to claim 13 further comprising an agent selected from the group consisting of  $\alpha$ -glucosidase inhibitor, aldose reductase inhibitor, biguanide, HMG-CoA reductase inhibitor, squalene synthesis inhibitor, fibrate, LDL catabolism enhancer, angiotensin converting enzyme inhibitor, insulin secretion enhancer and thiazolidinedione.

15. (canceled)
16. (canceled)
17. (canceled)
18. (canceled)
19. (canceled)
20. (currently amended) A method of treatment of a metabolic-related disorder comprising administering to an individual in need of such treatment a therapeutically effective amount of a ~~compound~~ pharmaceutical composition according to claim 13 ~~any one of claims 1 to 12.~~
21. (original) A method according to claim 20 wherein said metabolic-related disorder is selected from the group consisting of dyslipidemia, atherosclerosis, coronary heart disease, insulin resistance and type 2 diabetes.
22. (canceled)
23. (canceled)
24. (canceled)
25. (canceled)
26. (new) A method of treatment of a metabolic-related disorder comprising administering to an individual in need of such treatment a therapeutically effective amount of a compound according to claim 1.

27. (new) A method according to claim 26 wherein said metabolic-related disorder is selected from the group consisting of dyslipidemia, atherosclerosis, coronary heart disease, insulin resistance and type 2 diabetes.
28. (new) The pharmaceutical composition according to claim 13 wherein said compound is selected from the group consisting of:
- 1-Isopropyl-1H-benzotriazole-5-carboxylic acid;
  - 1-Cyclopentyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(2'-Butyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(3'-Pentyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-Cyclohexyl-1H-benzotriazole-5-carboxylic acid;
  - 1-Benzyl-1H-benzotriazole-5-carboxylic acid;
  - 1-Propyl-1H-benzotriazole-5-carboxylic acid;
  - 1-Cyclopropyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(3'-Isopropoxy-propyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(Tetrahydro-furan-2'-ylmethyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-Cyclobutyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(2-Methoxy-ethyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(3'Methoxybenzyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(4'Methoxybenzyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-[2'-(4''-Methoxy-phenyl)-ethyl]-1H-benzotriazole-5-carboxylic acid;
  - 1-[2'-(3''-Methoxy-phenyl)-ethyl]-1H-benzotriazole-5-carboxylic acid;
  - 1-(3',5'-Difluorobenzyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(2-Ethylsulfanyl-ethyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-t-Butyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(3'-Hydroxy-propyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(1',3'-Dimethyl-butyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(3',3'-Dimethyl-butyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-Heptyl-1H-benzotriazole-5-carboxylic acid;
  - 1-(2'-Methoxy-1'-methyl-ethyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-(2'-Hydroxy-1'-hydroxymethyl-ethyl)-1H-benzotriazole-5-carboxylic acid;
  - 1-Ethyl-1H-benzotriazole-5-carboxylic acid;
  - 1-Pentyl-1H-benzotriazole-5-carboxylic acid;

1-(2',2'-Dimethyl-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-(2'-Ethoxy-ethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(1',2'-Dimethyl-propyl)-1H-benzotriazole-5-carboxylic acid;  
1-Benzhydryl-1H-benzotriazole-5-carboxylic acid;  
1-Allyl-1H-benzotriazole-5-carboxylic acid;  
1-Butyl-1H-benzotriazole-5-carboxylic acid;  
1-(Cyclopropylmethyl)-1H-benzotriazole-5-carboxylic acid;  
1-(But-2-ynyl)-1H-benzotriazole-5-carboxylic acid;  
1-(4'-Methyl-pentyl)-1H-benzotriazole-5-carboxylic acid; and  
1-(3'-Methyl-butyl)-1H-benzotriazole-5-carboxylic acid; or  
a pharmaceutically acceptable salt, solvate or hydrate thereof.